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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/027,224	12/20/2001	Susanne Marie Crockett	8285/461	9046

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EXAMINER

LE, KAREN L

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 02/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/027,224

Applicant(s)

CROCKETT ET AL.

Examiner

Karen Le

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claim 13 is objected to because of the following informalities: the limitation of claim 13 reads as “ The system according to claim 1 where in the calling party information includes at least a portion of a telephone number of the calling party”. It should read as “The system according to claim 11 where in the calling party information includes at least a portion of a telephone number of the calling party”. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 3-9, 11, 13-19, 21 and 23-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Culli et al. (U.S. 6,304,641).

Regarding claims 1, 11 and 21, Culli teaches a method for providing an announcement (Col. 5, lines 25-27) to a calling party (Fig. 1, item A) when the calling party calls a disconnected telephone number (Fig. 1, item 14) of a called party (Fig. 1, item 30) , the method comprising:

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Providing a calling party information (Fig. 1, item 24, retrieves calling party information) for a disconnected telephone number (fig. 1, item 14) of the called party (Fig. 1, item 30);

Determining whether the calling party is authorized to receive a first announcement in accordance with the calling party information (Col. 5, lines 24-25); and

Providing the first announcement to the calling party if the calling party is authorized (col. 5, lines 25-27).

Regarding claims 3-5 and 13-15, Culli further teaches the calling party information includes at least a portion of a telephone number of the calling party, at least a portion of the telephone number further includes an area code of the calling party, at least three digits of the telephone number of the calling party (col. 6, lines 45-62).

Regarding claims 6 and 16, Culli further teaches calling party information comprises information about calling parties that are authorized to receive the first announcement (Col. 5, lines 24-25).

Regarding claims 7 and 17, Culli further teaches the calling party information comprises information about calling parties that are not authorized to receive the first announcement (Col. 5, lines 32-35).

Regarding claims 8 and 18, Culli further teaches the first announcement is provided by an announcement server (Col. 5, line 25-27, Fig. 1, item 20).

Regarding claims 9 and 19, Culli further teaches providing a connection from the calling party to the announcement server (Col. 5, lines 25-27).

Regarding claim 23, Culli further teaches the act of determining comprises determining whether the calling party is listed on a accepted list (Col. 11, lines 8-11).

Regarding claim 24, Culli further teaches the act of determining comprises determining whether the calling party is listed on a reject list (Col. 11, lines 22-26).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 2, 12, 10, 20, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Culli et al. (U. S. 6,304,641).

Regarding claims 2, 12 and 22, Culli does not teach the concept of providing an alternate announcement if the first announcement is not provided. However, Culli teaches if calling party is not eligible for call forwarding , the call is directed to standard intercept processing (Col. 8,

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lines 47-49 and Fig. 3, item S30). Standard intercept processing will be providing an announcement and disconnect the call. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide an additional announcement before terminating the call.

Regarding claims 10 and 20, Culli does not teach the idea of providing a call log to the called party. However, providing the date and time information of calls is well known in telephone billing system. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate telephone billing system to Culli's system to provide call log to the called party.

Conclusion

6. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to:

Hand-delivered responses should be brought to

Crystal Park II, Sixth Floor (Receptionist)

2121 Crystal Drive


Arlington, VA 22202

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4750.

Karen Le
KLL
1/15/2004


AHMAD MATAR
SUPERVISORY PATENT EXAMINER
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